UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,074	11/25/2003	Chin-Yi Lin	LIE 177	4198

7590 09/06/2007	EXAMINER
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ART UNIT	PAPER NUMBER
2162	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/720,074	LIN ET AL.
	Examiner	Art Unit	
	JEAN B. FLEURANTIN	2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 August 2007*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 - 25* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 - 6 & 8 - 25* is/are rejected.

7)☒ Claim(s) *7* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08/22/2007 has been entered.

The following is the current status of claims:

Claims 1-25 remain pending for examination.

Applicant's arguments filed 08/22/2007 have been fully considered but they are not persuasive for the following reasons, see section I (rejection maintained) and section II (response to argument).

Claim Rejections - 35 USC § 103

I.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-6 and 8-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,505,192 issued to Godwin et al., ("Godwin") in view of U.S. Pub. No. 2003/0028585 issued to Yeager et al., ("Yeager"), and further in view of "YAPPERS: a peer-to-peer lookup service over arbitrary topology" issued to Prasanna Ganesan et al., ("Ganesan").

As per claim 1, Godwin discloses "a searching method for a Security Policy Database" (i.e., Ipsec

processing (searching) in a security policy database; see col. 5, lines 42-45) comprising:

"wherein the peer table includes fields of peer identification, address, prefix, and type" (i.e., type;

see col. 9, line 3);

"building a set of peer-based Security Policy Database composed of a plurality of peer-based

Security Policy Databases" (i.e., network security processing multiple nodes (databases) by accepting

packets with Ipsec; see col. 5, lines 29-40 and Fig. 1);

"searching the peer table" (i.e., locating the applicable security association into a hash table; see

col. 6, lines 47-60); and

"searching the peer table" (i.e., searching table; see col. 12, lines 47-48), and "then comparing

the Security Policy Database set with the field of address of the peer table" (i.e., packet comparing to

security specified in the matching rule; see col. 7, lines 17-20) "so as to obtain a corresponding peer-

based Security Policy Database" (i.e., searching the IP to determine the applicable security association

(security policy); see col. 6, lines 47-62). Godwing fails to explicitly disclose building a peer table.

However, Yeager discloses building a peer table (see Yeager [0109]). It would have been obvious to a

person of ordinary skill in the art at the time the invention was made to modify the method of Godwing by

building the peer table as disclosed by Yeager (see Yeager [0123]). Such a modification would allow the

method of Godwing to provide mechanisms for feeding back trust information to other peers (see Yeager

[0015], lines 10-13), therefore improving the performance and manageability of the searching method for

a security policy database.

While the Godwin/Yeager fails to substantially disclose building a peer table. However, Ganesan

discloses a peer table (see Ganesan, abstract, page 1250, col. 2, paragraphs 3 & 4). It would have been

obvious to a person of ordinary skill in the art at the time the invention was made to modify the method of

Godwin/Yeager by building the peer table as disclosed by Ganesan (see Ganesan page 1251, paragraph

1). Such a modification would allow the method of Godwin/Yeager to provide building an efficient peer-to-

peer search mechanism without explicit control of the overlay network (see Ganesan page 1259, portion

VII).

As per claim 2, in addition to claim 1, Godwing fails to explicitly disclose <u>building</u> at least two data in the <u>peer table</u> according to a peer gateway; according to one set of peer gateway, at least two sets of data are built in the peer table. However, Yeager discloses building a peer table (see Yeager [0109]). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the method of Godwing by building the peer table as disclosed by Yeager (see Yeager [0123]). Such a modification would allow the method of Godwing to provide mechanisms for feeding back trust information to other peers (see Yeager [0015], lines 10-13), therefore improving the performance and manageability of the searching method for a security policy database.

As per claim 3, in addition to claim 1, Godwing further discloses "one of the two data is an internal network/local area network (LAN) data" (see col. 5, lines 54-56), "the other is an external network/wide area network (WAN) data" (see col. 5, lines 31-34 and Fig. 1); "one of the two sets of data is a set of internal network/local area network (LAN) data and the other is a set of external network/wide area network (WAN) data" (i.e., network interconnecting nodes for sending and receiving (two sets) packet; see col. 5, lines 31-34).

As per claim 4, in addition to claim 1, Godwing further discloses "an address" (se col. 6, lines 35-36), "the address is a network address" (i.e., IP address; see col. 2, line 62); "the type is an internal network/local area network (LAN) section type, an external network/wide area network (WAN) address or both" (i.e., network interconnecting nodes for sending and receiving (two sets) packet; see col. 5, lines 31-34). Godwing fails to explicitly disclose peer identification, a type and a prefix; the peer identification represents the peer gateway; the prefix is the number of the bits for comparing the address. However, Yeager discloses a peer identification, a type and a prefix; the peer identification represents the peer gateway; the prefix is the number of the bits for comparing the address (see Yeager [0118] & [0116]). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the method of Godwing by a peer identification, a type and a prefix; the peer identification

represents the peer gateway; the prefix is the number of the bits for comparing the address as disclosed by Yeager (see Yeager [0201]). Such a modification would allow the method of Godwing to provide mechanisms for feeding back trust information to other peers (see Yeager [0015], lines 10-13), therefore improving the performance and manageability of the searching method for a security policy database.

As per claim 5, Godwing discloses "the address included in the internal network/local area network (LAN) data is an internal network/local area network (LAN) section" (i.e., network interconnecting nodes for sending and receiving (two sets) packet; see col. 5, lines 31-34).

As per claim 6, Godwing discloses "the address included in the external network/wide area network (WAN) data is an external network/wide area network (WAN) address" (i.e., network interconnecting nodes (WAN) for sending and receiving (two sets) packet; see col. 5, lines 31-34).

As per claims 8 and 9, the limitations of claims 8 and 9 are rejected in the analysis of claims 1 and 4, therefore, these are rejected on that basis.

As per claim 10, in addition to claim 8, Godwing further discloses "the selector is a source address or a destination address" (i.e., destination IP address; see col. 2, line 62).

As per claim 11, the limitations of claim 11 are similar to claim 9, therefore, the limitations of claim 11 are rejected in the analysis of claim 9, and this claim is rejected on that basis.

As per claim 12, in addition to claim 1, Godwing further discloses "a method for adding-in a security policy, the method comprises: adding the security policy in the set of peer-based Security Policy Database according to a selector" (i.e., permitted with Ipsec processing (packet), in a security policy database; see col. 5, lines 42-45).

As per claim 13, Godwing discloses "the selector is a source address or destination address" (i.e., destination IP address; see col. 2, line 62).

As per claim 14, in addition to claim 1, Godwing further discloses "a method for deleting a security policy, the method comprises: deleting the security policy from the set of peer-based Security Policy Database according to a selector" (i.e., denied permitted without Ipsec processing (packet), in a security policy database; see col. 5, lines 42-45).

As per claim 15, Godwing discloses "the selector is a source address or destination address" (i.e., destination IP address; see col. 2, line 62).

As per claim 16, in addition to claim 1, Godwing further discloses "comparing a packet and the peer table" (i.e., matching packet in a security policy database; see col. 5, lines 42-45).

As per claim 17, Godwing discloses "the packet is an inbound IPsec packet in tunnel mode; the comparing step is used for comparing the source address of the outer header of the inbound IPSec packet in tunnel mode" (i.e., outgoing packet and incoming packet to nodes with Ipsec processing determining the matching of packets in a security policy database; see col. 5, lines 29-41) and "the external network/wide area network (WAN) address of the peer table" (i.e., network interconnecting nodes (WAN) for sending and receiving (two sets) packet; see col. 5, lines 29-34).

As per claim 18, Godwing discloses "the packet is an inbound IPSec packet in transport mode; the comparing step is used for comparing the source address of the inbound IPsec packet in transport mode" (i.e., outgoing packet and incoming packet to nodes with Ipsec processing determining the matching of packets in a security policy database; see col. 5, lines 29-41) and "the external network/wide area network (WAN) address of the peer table" (i.e., network interconnecting nodes (WAN) for sending and receiving (two sets) packet; see col. 5, lines 29-34).

As per claim 19, Godwing discloses "the packet is an inbound IP packet; the comparing step is used for comparing the source address of the inbound IP packet" (i.e., outgoing packet and incoming packet to nodes with Ipsec processing determining the matching of packets in a security policy database; see col. 5, lines 29-41) "with the internal network/local area network (LAN) section of the peer table" (i.e., network interconnecting nodes (WAN) for sending and receiving (two sets) packet; see col. 5, lines 29-34).

As per claim 20, Godwing discloses "the packet is an outbound IP packet; the comparing step is used for comparing the destination address of the outbound IP packet" (i.e., outgoing packet and incoming packet to nodes with Ipsec processing determining the matching of packets in a security policy database; see col. 5, lines 29-41) "with the internal network/local area network (LAN) section of the peer table" (i.e., network interconnecting nodes (WAN) for sending and receiving (two sets) packet; see col. 5, lines 29-34).

As per claim 21, Godwing further discloses "comparing a packet and the peer-based Security Policy Database" (i.e., outgoing packet and incoming packet to nodes with Ipsec processing determining the matching of packets in a security policy database; see col. 5, lines 29-41).

As per claim 22, Godwing discloses "the packet is an inbound IPsec packet in tunnel mode; the comparing step is used for comparing the inner header of the inbound IPsec packet in tunnel mode with the selector of the security policy of the peer-based Security Policy Database" (i.e., determining if an incoming packet contains an authentication header and a security association must be identified to determine how to authenticate the packet and determining if the matching rule requires that Ipsec processing be applied; see col. 6, line 50 to col. 7, line 7 and Figs. 3 and 7).

As per claim 23, Godwing discloses "the packet is an inbound IPsec packet in transport model; the comparing step is used for comparing the header of the inbound IPsec packet in transport mode with the selector of the security policy of the peer-based Security Policy Database" (i.e., determining if an incoming packet contains an authentication header and a security association must be identified to determine how to authenticate the packet and determining if the matching rule requires that Ipsec processing be applied; see col. 6, line 50 to col. 7, line 7 and Figs. 3 and 7).

As per claim 24, Godwing discloses "the packet is an inbound IP packet; the comparing step is used for comparing the header of the inbound IP packet with the selector of the security policy of the peer-based Security Policy Database" (i.e., determining if an incoming packet contains an authentication header and a security association must be identified to determine how to authenticate the packet and determining if the matching rule requires that Ipsec processing be applied; see col. 6, line 50 to col. 7, line 7 and Figs. 3 and 7).

As per claim 25, Godwing discloses "the packet is an outbound IP packet; the comparing step is used for comparing the header of the outbound IP packet with the selector of the security policy of the peer-based Security Policy Database" (i.e., determining if the outgoing packet contains security and determining the match and building the appropriate security header; see col. 9, lines 37-65 and Fig. 8).

Claim Objections / Allowable Subject Matter

Claim 7 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Applicant' Arguments

II.   Applicant's arguments start from page 9 through page 10.

Applicant stated, page 10, that "Yeager et al. is relied upon in the Office Action for allegedly teaching building a peer table, albeit the peer table of Yeager et al. is different from that of the invention as previously discussed, but the Office Action does not allege that Yeager et al. remedies the above deficiency of Godwin et al." Thus, the arguments are not persuasive. Because the combination of Godwin, Yeager and Ganesan discloses the claimed limitations.

Further, the instant application relates to Internet Protocol Security (IPSec), and particularly, to a searching method for a Security Policy Database (SPD); see page 1, lines 4-5.

Godwin relates to improve the performance of system Ipsec rule searching in a number of ways; see col. 2, lines 27-43. Yeager relates to field networking, peer-to-peer network (P2P); see paragraph [0013] and Figs. 1A - 4). Therefore, the combination of Godwin in view of Yeager discloses the claimed invention.

MPEP 2111: During patent examination, the pending claims must be "given the broadest reasonable interpretation consistent with the specification" Applicant always has the opportunity to amend the claims during prosecussion and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 162 USPQ 541,550-51 (CCPA 1969). The court found that applicant was advocating ... the impermissible importation of subject matter from the specification into the claim. See also In re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997) (The court held that the PTO is not required, in the course of prosecution, to interpret claims in applications in the same manner as a court would interpret claims in an infringement suit. Rather, the "PTO applies to verbiage of the proposed claims the broadest reasonable meaning of the words in their ordinary usage as they would be understood by one of ordinary skill in the art, taking into account whatever enlightenment by way of definition or otherwise that may be afforded by the written description contained in application's specification.").

The broadest reasonable interpretation of the claims must also be consistent with the interpretation that those skilled in the art would reach. In re Cortright, 165 F.3d 1353, 1359, 49 USPQ2d 1464, 1468 (Fed. Cir. 1999).

Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Sakai, USPuN 2004/0093524 relates to a network, an Ipsec processing apparatus, and an Ipsec setting method, see paragraph [0002]. Further, Sakai discloses steps of performing various functions to create private virtual network, tables, for example maintaining various tables which include IP address of the networking device; see paragraph [0056].

CONTACT INFORMATION

2.   Any inquiry concerning this communication or earlier communications from the examiner should

be directed to JEAN B. FLEURANTIN whose telephone number is 571 – 272-4035. The examiner can

normally be reached on 7:05 to 4:35.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

JOHN E BREENE can be reached on 571 – 272-4107. The fax phone number for the organization where

this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application

Information Retrieval (PAIR) system. Status information for published applications may be obtained from

either Private PAIR or Public PAIR. Status information for unpublished applications is available through

Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC)

at 866-217-9197 (toll-free).

Jean Bolte Fleurantin

Patent Examiner

Technology Center 2100